



City of Costa Mesa Council Agenda

TUESDAY, MAY 2, 2006

Allan Mansoor
Mayor

Gary Monahan
Council Member

Eric Bever
Mayor Pro Tem

Katrina Foley
Council Member

Linda Dixon
Council Member

City Attorney
Kimberly Hall Barlow

City Manager
Allan Roeder

Development Services Director
Donald Lamm

Director of Public Services
William Morris

City Clerk
Julie Folcik

Council Chambers, 77 Fair Drive
5:00 p.m. – Closed Session and 6:00 p.m. – Council Meeting

TIME LIMIT FOR COUNCIL MEETINGS – except by majority vote of the Council to continue, Council meetings shall conclude at midnight. If there is unfinished business on the Agenda, these items will be continued to the next regularly scheduled council meeting (Resolution No. 05-8).

Welcome to the City Council Meeting

Your attendance at this public meeting is valued and appreciated.

The following City codes, guidelines, and reminders are provided for your information:

1. In accordance with Costa Mesa Municipal Code, Sec. 2-64 (1): No person in the audience shall “engage in disorderly, disruptive, disturbing, delaying or boisterous conduct including but not limited to, handclapping, stomping of feet, whistling, making noise, use of profane language or obscene gestures, yelling or similar demonstrations, which may disrupt the peace and good order of the Council proceedings.”
2. All cell phones and pagers are to be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.
3. In accordance with City Council Policy 000-11, and among other requirements, any video submitted for display at a public meeting must have been previously reviewed by staff to verify appropriateness for general audiences. A copy of this policy is available at City Hall during normal office hours.

4. Please use the podiums on either side of the dais to speak to the City Council. Direct all verbal communications, requests, and/or questions to the mayor.
5. Any written communications, pictures, etc., to be provided to the Council should be directed to the City Clerk. Any exhibits to be displayed on the overhead screen may be given to the appropriate staff member.

NOTE: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 754-5225. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II].

CLOSED SESSION 5:00 p.m.

At the conclusion of the Public Comment, Council will adjourn to Conference Room 1B for meeting in closed session. Please note that if there are not any closed session items listed, Council will convene at its regular meeting time of 6:00 p.m.

I ROLL CALL

- II PUBLIC COMMENTS Members of the public are welcome to address the City Council only on those items listed on the Closed Session agenda. Each member of the public will be given three (3) minutes to speak.

III CLOSED SESSION:

1. Conference with legal counsel pursuant to California Government Code Section 54956.9(a) – existing litigation, Acosta v. City of Costa Mesa, et al, Case Number SACV06-233 DOC (MLGx)
2. Conference with legal counsel pursuant to California Government Code Section 54957 – public employment, Chief of Police recruitment

RECESS TO STUDY SESSION:

*The Council will recess to/convene an **Agenda Review Study Session** beginning at **5:30 p.m.** in Conference Room 1-A of City Hall. The public is welcome to attend and offer comment.*

Pursuant to Resolution No. 05-8, each member of the public will be given an opportunity to speak for one (1) minute on study session agenda items. A maximum overall time of 10 minutes will be permitted for public comment. Note that no action may be taken by the Council prior to the 6:00 p.m. meeting.

RECONVENE REGULAR MEETING

REGULAR CITY COUNCIL AGENDA

6:00 p.m.

PLEDGE OF ALLEGIANCE Council Member Linda Dixon

**MOMENT OF SOLEMN
EXPRESSION**

Pastor Jim Belcher, Redeemer Presbyterian Mission

[Per Council Policy 000-12, these presentations are made by community volunteers stating their own views. The Council disclaims any intent to endorse or sponsor the views of any speaker. Interested presenters, please contact the City Clerk's office.]

ROLL CALL

CLOSED SESSION REPORT

PRESENTATIONS

SPEAKERS: PLEASE PRINT YOUR NAME AND ADDRESS (Optional) ON THE SPEAKER FORM(S) AND PRESENT TO THE CITY CLERK PRIOR TO THE ITEM.

PLEASE NOTE:

- **THE YELLOW FORM IS FOR PUBLIC COMMENTS – TOPICS NOT ON THE AGENDA.**
- **THE GREEN FORM IS FOR AGENDA ITEMS (PLEASE FILL OUT FOR EACH AGENDA ITEM YOU WISH TO ADDRESS)**

IV PUBLIC COMMENTS-To ensure fair and equal treatment of all who appear before the City Council, and to expedite City business, speakers will be limited to three (3) minutes during Public Comments to speak on any item within the Council's jurisdiction and which is not listed on the Agenda. The three-minute per speaker time limit may be extended for good cause by the Mayor, or by majority vote of the Council Members.

V COUNCIL MEMBERS REPORTS, COMMENTS, AND SUGGESTIONS

1. Mayor Allan Mansoor
2. Council Member Katrina Foley
3. Council Member Linda Dixon
4. Mayor Pro Tem Eric Bever
5. Council Member Gary Monahan

VI **CONSENT CALENDAR:** All matters listed under the Consent Calendar are considered to be routine and will be acted upon in one motion in the form listed below. There will be no separate discussion of these items prior to the time the Council votes on the motion, unless members of the Council, staff, or the public request specific items to be removed from the Consent Calendar for discussion. Items removed from the Consent Calendar will be discussed and voted upon immediately following Council action on the remainder of the Consent Calendar.

Members of the public who wish to discuss Consent Calendar items should come forward to the microphone upon invitation by the Mayor, state their name, city in which they reside, and item number.

CONSENT CALENDAR ITEM NOS. 1 THROUGH 15.

Written Communications

1. Reading Folder.

Recommendation: Receive and process

Minutes

2. Regular meetings of April 4, 2006 and April 18, 2006.

Recommendation: Approve

Warrants

3. Warrant Resolution 2106, funding City operating expenses for \$976,780.84.

Recommendation: Approve

4. Warrant Resolution 2107, funding Payroll No. 607A for \$705.26 and Payroll No. 608 for \$2,151,350.86, and City operating expenses for \$1,121,834.07, including payroll deductions.

Recommendation: Approve

CONSENT CALENDAR—continued

Administrative Actions

5. [Amended Agreement with Boys and Girls Club of the Harbor Area, for additional construction of existing facilities located at 2131 Tustin Avenue, Costa Mesa.](#)

Recommendation: Approve; authorize the Mayor and Clerk to sign

6. [Lease agreement with Costa Mesa Historical Society, for an initial five-year \(5\), seven-month \(7\) term from June 1, 2006 through December 31, 2011 with options, for the facility located at 1870 Anaheim Avenue and Sepulveda/Estancia Adobe located at 1900 Adams Avenue.](#)

Recommendation: Approve; authorize the Mayor to sign

7. [Award Bid Item No. 1096, a three-year \(3\) price agreement for “Recreation Review” brochure printing, to Westminster Press, Inc., 4906 West First Street, Santa Ana, in an amount not to exceed \\$30,100 annually.](#)

Recommendation: Approve

8. [Award Bid Item No. 1097, the Traffic Signal Project, the purchase of traffic signals and cabinets for three \(3\) intersections, to JTB Supply Company Inc., 1030 North Batavia, Suite A, Orange, in the amount of \\$84,841.44.](#)

Recommendation: Approve

9. [Professional Services Agreement with Mike Linares, Inc., contract renewal for Community Development Block Grant/Home Contract Staff, in an amount not to exceed \\$78,000 per fiscal year, with the option to renew for up to three \(3\) years.](#)

Recommendation: Approve; authorize the Mayor and Clerk to sign

CONSENT CALENDAR—continued

Administrative Actions

10. [Professional Services Agreement to recognize TRC Solutions, Inc., 21 Technology Drive, Irvine, as contract successor to Sequeira Infrastructure Associates, for the design of the Newport Boulevard Improvement Project in an amount not to exceed \\$345,901, and to extend the contract term through November 30, 2007.](#)

Recommendation: Approve; authorize the Mayor and Clerk to sign

11. [Agreement with the 32nd District Agricultural Association, for the Orange County Fair traffic management services, beginning July 7 through July 30, 2006, in an amount not to exceed \\$230,000.](#)

Recommendation: Approve; authorize the Mayor and Clerk to sign

12. [Agreement with the 32nd District Agricultural Association, for all designated Interim Events of the Orange County Fair and Exposition Center, beginning April 1, 2006 through March 31, 2007, in an amount not to exceed \\$50,000.](#)

Recommendation: Approve; authorize the Mayor and Clerk to sign

13. [Accept California Office of Traffic Safety \(OTS\) grant funds, for vehicle seat belt enforcement, in the amount of \\$39,684.](#)

Recommendation: Accept grant

- (a) [Budget Adjustment No. 06-064 for \\$39,684 to appropriate grant funds to the Police Department's operating budget.](#)

Recommendation: Approve

14. [Completion of Upgrade Electrical Panels at City Hall, 1st Floor, 77 Fair Drive, Project No. 05-15, by Noor Electrical, 1618 Ohms Way, Costa Mesa.](#)

Recommendation: Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond and the Faithful Performance Bond twelve (12) months thereafter

CONSENT CALENDAR—continued

Administrative Actions

15. [Completion of Parkway Concrete Repair and New Sidewalk Construction, Project No. 05-21, by S. Parker Engineering, Inc., 10059 Whippoorwill Avenue, Fountain Valley.](#)

Recommendation: Accept work; authorize City Clerk to file a Notice of Completion; release retention monies 35 days thereafter; exonerate the Labor and Material Bond seven (7) months thereafter; exonerate the Faithful Performance Bond six (6) months thereafter

-----END OF CONSENT CALENDAR-----

VII PUBLIC HEARINGS – 7:00 p.m. (Resolution No. 05-55)

1. [PUBLIC HEARING: Fiscal Year 2006-2007 funding priorities and allocation of funds for Community Development Block Grant \(CDBG\) and HOME Investment Partnership Program \(HOME\).](#)

- (a) [Community Development Block Grant Public Service Grant allocations for fiscal year 2006-2007.](#)

Recommendation: Approve

- (b) Recommended allocation for the Fiscal Year 2006-2007 Community Development Block Grant (CDBG) Application.

Recommendation: Approve

- (c) Recommended allocation for the Fiscal Year 2006-2007 HOME Investment Partnership Grant.

Recommendation: Approve

- (d) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2006-2007 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP ACT ENTITLEMENT FUNDS APPLICATION SUBMISSION TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Recommendation: Adopt resolution

VIII OLD BUSINESS

1. [Appointments and reappointments to various Council-appointed standing committees.](#)

- a. Child Care and Youth Services Committee

Recommendation: Appoint members

- b. Cultural Arts Committee

Recommendation: Appoint members

- c. Fairview Park Friend/Fundraising Committee

Recommendation: Appoint member

- d. Historical Preservation Committee

Recommendation: Appoint members

- e. Investment Oversight Committee

Recommendation: Appoint members

IX NEW BUSINESS

1. [AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, AMENDING ARTICLE 22 OF TITLE 9 OF THE COSTA MESA MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS AND PRACTITIONERS.](#)

Recommendation: Give ordinance first reading, to be read by title only and waive further reading

X REPORTS

City Attorney

City Manager

XI ADJOURNMENT - Adjourn to May 9, 2006, 4:30 p.m.